

Missouri Attorney General's Opinions - 2012

Opinion	Date	Topic	Summary
1-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 9).
2-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Robert Hess amending Chapters 149 and 196, Revised Statutes of Missouri (version 2).
3-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Chapter 149, Revised Statutes of Missouri (version 1).
4-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Chapter 149, Revised Statutes of Missouri (version 3).
5-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 10).
6-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 11).
7-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 12).
8-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 13).
9-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 14).
10-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 15).
11-2012	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 16).

<u>12-2012</u>	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 17).
<u>13-2012</u>	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 18).
<u>14-2012</u>	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article X, Missouri Constitution (version 19).
<u>15-2012</u>	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and rejection of the sufficiency as to form of an initiative petition submitted by Todd Jones to amend Article III, Missouri Constitution.
<u>16-2012</u>	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Robert Hess to amend Chapters 149 and 196, Revised Statutes of Missouri (version A).
<u>17-2012</u>	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and rejection of the sufficiency as to form of an initiative petition submitted by Robert Hess to amend Chapters 149 and 196, Revised Statutes of Missouri (version B).
<u>18-2012</u>	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and rejection of the sufficiency as to form of an initiative petition submitted by Robert Hess to amend Chapters 149 and 196, Revised Statutes of Missouri (version C).
<u>19-2012</u>	Jan 3	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 9).
<u>20-2012</u>	Jan 6	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Jewell Patek to amend Chapters 367 and 408, Revised Statutes of Missouri.
<u>21-2012</u>	Jan 6	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Jewell Patek to amend Chapters 367 and 408, Revised Statutes of Missouri (version 2).
<u>22-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Paul C. Wilson to amend Chapters 386 and 393, Revised Statutes of Missouri (version 1.0a).
<u>23-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Chapter 149, Revised Statutes of Missouri (version 5).
<u>24-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Chapters 149 and 196,

			Revised Statutes of Missouri (version 6).
<u>25-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Chapter 149, Revised Statutes of Missouri (version 7).
<u>26-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Chapters 149 and 196, Revised Statutes of Missouri (version 8).
<u>27-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Jeremiah Ratican to amend Article III, Missouri Constitution (version A).
<u>28-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Jeremiah Ratican to amend Article III, Missouri Constitution (version B).
<u>29-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Jeremiah Ratican to amend Article XII, Missouri Constitution (version C).
<u>30-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Chapters 149 and 196, Revised Statutes of Missouri (version 2).
<u>31-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Chapters 149 and 196, Revised Statutes of Missouri (version 4).
<u>32-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Robert Hess regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version 2).
<u>33-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version 1).
<u>34-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version 2).
<u>35-2012</u>	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed

			amendment to Chapters 149 and 196, Revised Statutes of Missouri (version 3).
36-2012	Jan 9	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version 4).
37-2012	Jan 17	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Jewel Patek to amend Article III of the Missouri Constitution.
38-2012	Jan 17	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Paul C. Wilson amending Chapter 393, Revised Statutes of Missouri.
39-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 10).
40-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 11).
41-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 12).
42-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 13).
43-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 14).
44-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 15).
45-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 16).
46-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 17).
47-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading

			amending Article X of the Missouri Constitution (version 18).
48-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Article X of the Missouri Constitution (version 19).
49-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Robert Hess amending Chapters 149 and 196, Revised Statutes of Missouri (version A).
50-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Robert Hess to amend Chapters 149 and 196, Revised Statutes of Missouri (version D).
51-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Robert Hess to amend Chapters 149 and 196, Revised Statutes of Missouri (version E).
52-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Robert Hess to amend Chapters 149 and 196, Revised Statutes of Missouri (version F).
53-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Robert Hess to amend Chapters 149 and 196, Revised Statutes of Missouri (version G).
54-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Robert Hess to amend Chapters 149 and 196, Revised Statutes of Missouri (version H).
55-2012	Jan 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Robert Hess to amend Chapters 149 and 196, Revised Statutes of Missouri (version I).
56-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Jewell Patek amending Chapters 367 and 408, Revised Statutes of Missouri.
57-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Jewell Patek amending Chapters 367 and 408, Revised Statutes of Missouri (version 2).
58-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Paul C. Wilson amending Chapters 386 and 393, Revised Statutes of Missouri (version 1.0a).
59-2012	Jan 23	INITIATIVE PETITION.	Review and approval of the legal content and form of a fiscal note

		INITIATIVES.	summary prepared for an initiative petition submitted by Mark Reading amending Chapter 149, Revised Statutes of Missouri (version 5).
60-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Chapters 149 and 196, Revised Statutes of Missouri (version 6).
61-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Chapter 149, Revised Statutes of Missouri (version 7).
62-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Mark Reading amending Chapters 149 and 196, Revised Statutes of Missouri (version 8).
63-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Jeremiah Ratican amending Article III of the Missouri Constitution (version A).
64-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Jeremiah Ratican amending Article III of the Missouri Constitution (version B).
65-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Jeremiah Ratican amending Article XII of the Missouri Constitution (version C).
66-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Paul Wilson regarding a proposed amendment to Chapters 393 and 386, Revised Statutes of Missouri.
67-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 10).
68-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 11).
69-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 12).
70-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 13).
71-2012	Jan 23	INITIATIVE PETITION.	Review and approval of a summary statement prepared for the

		INITIATIVES.	initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 14).
72-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 15).
73-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 16).
74-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 17).
75-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 18).
76-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Article X of the Missouri Constitution (version 19).
77-2012	Jan 23	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Robert Hess regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version A).
78-2012	Jan 28	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Jewell Patek to amend Article III of the Missouri Constitution (version 2).
79-2012	Jan 30	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Marc Ellinger to amend Article IX of the Missouri Constitution (version).
80-2012	Jan 30	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Jewell Patek regarding a proposed amendment to Chapters 367 and 408, Revised Statutes of Missouri.
81-2012	Jan 30	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Jewell Patek regarding a proposed amendment to Chapters 367 and 408, Revised Statutes of Missouri (version 2).
82-2012	Jan 30	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Todd Jones to amend Article III of the Missouri Constitution.
83-2012	Feb 2	INITIATIVE PETITION.	Review and approval of a summary statement prepared for the

		INITIATIVES.	initiative petition submitted by Paul Wilson regarding a proposed amendment to Chapters 386 and 393, Revised Statutes of Missouri (version 1.0a).
84-2012	Feb 2	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Jeremiah Ratican regarding a proposed amendment to Article III of the Missouri Constitution (version A).
85-2012	Feb 2	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Jeremiah Ratican regarding a proposed amendment to Article III of the Missouri Constitution (version B).
86-2012	Feb 2	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Jeremiah Ratican regarding a proposed amendment to Article III of the Missouri Constitution (version C).
87-2012	Feb 2	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Chapter 149, Revised Statutes of Missouri (version 5).
88-2012	Feb 2	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version 6).
89-2012	Feb 2	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Chapter 149, Revised Statutes of Missouri (version 7).
90-2012	Feb 2	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Mark Reading regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version 8).
91-2012	Feb 2	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Jewell Patek amending Article III of the Missouri Constitution.
92-2012	Feb 6	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Jewell Patek regarding a proposed amendment to Article III of the Missouri Constitution.
93-2012	Feb 6	OPEN PUBLIC RECORDS. PRIVACY. SUNSHINE LAW.	Chapter 610, RSMo, generally requires records of public governmental bodies to be open, and the public employee pension database records qualify as such. But the Sunshine law allows a public governmental body to close personally identifiable personnel records and records pertaining to employees, which would include pension database records. The only exception to this allowance is that records of the name, position, salary, and length of service of public employees may

			not be closed. Accordingly, information in the records consisting of the names and payments to public employees must be disclosed, but the rest may remain closed.
<u>94-2012</u>	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Robert Hess amending Chapters 149 and 196, Revised Statutes of Missouri (version D).
<u>95-2012</u>	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Robert Hess amending Chapters 149 and 196, Revised Statutes of Missouri (version E).
<u>96-2012</u>	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Robert Hess amending Chapters 149 and 196, Revised Statutes of Missouri (version F).
<u>97-2012</u>	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Robert Hess amending Chapters 149 and 196, Revised Statutes of Missouri (version G).
<u>98-2012</u>	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Robert Hess amending Chapters 149 and 196, Revised Statutes of Missouri (version H).
<u>99-2012</u>	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Robert Hess amending Chapters 149 and 196, Revised Statutes of Missouri (version I).
<u>100-2012</u>	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Robert Hess regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version D).
<u>101-2012</u>	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Robert Hess regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version E).
<u>102-2012</u>	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Robert Hess regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version F).

103-2012	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Robert Hess regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version G).
104-2012	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Robert Hess regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version H).
105-2012	Feb 8	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Robert Hess regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version I).
106-2012	Feb 14	INITIATIVE PETITION. INITIATIVES.	Review and rejection of the sufficiency as to form of an initiative petition submitted by Jewell Patek to amend Article X of the Missouri Constitution (version 1).
107-2012	Feb 14	INITIATIVE PETITION. INITIATIVES.	Review and rejection of the sufficiency as to form of an initiative petition submitted by Jewell Patek to amend Article X of the Missouri Constitution (version 2).
108-2012	Feb 14	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Jewell Patek amending Article III of the Missouri Constitution (version 2).
109-2012	Feb 16	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Marc Ellinger amending Article IX of the Missouri Constitution.
110-2012	Feb 21	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Todd Jones amending Article III of the Missouri Constitution.
111-2012	Feb 21	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Jewell Patek regarding a proposed amendment to Article III of the Missouri Constitution (version 2).
112-2012	Feb 27	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Todd Jones regarding a proposed amendment to Article III of the Missouri Constitution.
113-2012	Feb 27	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Marc H. Ellinger regarding a proposed amendment to Article IX of the Missouri Constitution.
114-2012	Feb 27	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Jewell Patek to amend Article X of the Missouri

			Constitution (version 3).
<u>115-2012</u>	Feb 27	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Jewell Patek to amend Article X of the Missouri Constitution (version 4).
<u>116-2012</u>	Mar 19	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Jewell Patek amending Article X of the Missouri Constitution (version 3).
<u>117-2012</u>	Mar 19	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Jewell Patek amending Article X of the Missouri Constitution (version 4).
<u>118-2012</u>	Mar 19	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Jewell Patek regarding a proposed amendment to Article X of the Missouri Constitution (version 3).
<u>119-2012</u>	Mar 19	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Jewell Patek regarding a proposed amendment to Article X of the Missouri Constitution (version 4).
<u>120-2012</u>	May 10	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of the proposed fair ballot language for the initiative petition relating to municipal police force.
<u>121-2012</u>	June 4	FAIR BALLOT LANGUAGE. INITIATIVE PETITION.	Review and approval of the legal content and form of the proposed fair ballot language for the initiative petition relating to cigarette and other tobacco product taxation (version G).
<u>122-2012</u>	June 4	FAIR BALLOT LANGUAGE. INITIATIVE PETITION.	Review and approval of the legal content and form of the proposed fair ballot language for the initiative petition relating to payday, title, installment, and consumer credit loans (version 3).
<u>123-2012</u>	June 4	FAIR BALLOT LANGUAGE. INITIATIVE PETITION.	Review and approval of the legal content and form of the proposed fair ballot language for the initiative petition relating to minimum wage (version 1).
<u>124-2012</u>	June 28	JOINT RESOLUTIONS. SENATE JOINT RESOLUTIONS.	Review and approval of the legal content and form of a fiscal note summary prepared for Senate Joint Resolution No. 51 amending Article V of the Missouri Constitution.
<u>125-2012</u>	June 28	SENATE BILLS.	Review and approval of the legal content and form of a fiscal note summary prepared for Senate Bill No. 464 amending Chapter 376, Revised Statutes of Missouri.
<u>126-2012</u>	June 29	JOINT RESOLUTIONS. SENATE JOINT RESOLUTIONS.	Review and approval of a summary statement prepared for Senate Joint Resolution No. 51 regarding a proposed amendment to Article V of the Missouri Constitution.

127-2012	June 29	FAIR BALLOT LANGUAGE. SENATE JOINT RESOLUTIONS.	Review and approval of a fair ballot language statement prepared for Senate Joint Resolution No. 51 regarding a proposed amendment to Article V of the Missouri Constitution.
128-2012	June 29 <i>Revised</i> 7/3/12	SENATE BILLS.	Review and approval of a summary statement prepared for Senate Bill No. 464 regarding a proposed amendment to Chapter 376, Revised Statutes of Missouri.
129-2012	June 29	FAIR BALLOT LANGUAGE. SENATE BILLS.	Review and approval of a fair ballot language statement prepared for Senate Bill No. 464 regarding a proposed amendment to Chapter 376, Revised Statutes of Missouri.
130-2012	Oct 2	HOUSING. HOUSING AUTHORITY. MISSOURI HOUSING DEVELOPMENT COMMISSION. PUBLIC HOUSING AUTHORITY. HOUSING AND URBAN DEVELOPMENT.	The Missouri Housing Development Commission is the only entity authorized to operate as a public housing agency throughout the entire state of Missouri.
132-2012	Nov 19	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Ron Calzone to amend Article I of the Missouri Constitution, version 1 (2014-002).
133-2012	Nov 19	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Ron Calzone to amend Article I of the Missouri Constitution, version 2 (2014-003).
134-2012	Nov 19	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Ron Calzone to amend Article VI of the Missouri Constitution, version 1 (2014-004).
135-2012	Nov 19	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Ron Calzone to amend Article VI of the Missouri Constitution, version 2 (2014-005).
136-2012	Nov 29	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Aaron Malin to amend Chapter 213, Revised Statutes of Missouri, version 2 (2014-006).
137-2012	Dec 6	INITIATIVE PETITION.	Review and approval of the sufficiency as to form of an initiative

		INITIATIVES.	petition submitted by Maureen Dickmann to amend Chapters 367 and 408, Revised Statutes of Missouri (2014-007).
<u>138-2012</u>	Dec 6	INITIATIVE PETITION. INITIATIVES.	Review and rejection of the sufficiency as to form of an initiative petition submitted by Theo Brown (2014-008).
<u>139-2012</u>	Dec 6	INITIATIVE PETITION. INITIATIVES.	Review and rejection of the sufficiency as to form of an initiative petition submitted by Theo Brown (2014-009).
<u>140-2012</u>	Dec 10	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Ron Calzone amending Article I of the Missouri Constitution, version 1 (14-002).
<u>141-2012</u>	Dec 10	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Ron Calzone amending Article I of the Missouri Constitution, version 2 (14-003).
<u>142-2012</u>	Dec 10	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Ron Calzone amending Article VI of the Missouri Constitution, version 1 (14-004).
<u>143-2012</u>	Dec 10	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Ron Calzone amending Article VI of the Missouri Constitution, version 2 (14-005).
<u>144-2012</u>	Dec 10	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Ron Calzone regarding a proposed amendment to Article I of the Missouri Constitution, version 1 (2014-002).
<u>145-2012</u>	Dec 10	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Ron Calzone regarding a proposed amendment to Article I of the Missouri Constitution, version 2 (2014-003).
<u>146-2012</u>	Dec 10	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Ron Calzone regarding a proposed amendment to Article VI of the Missouri Constitution, version 1 (2014-004).
<u>147-2012</u>	Dec 10	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Ron Calzone regarding a proposed amendment to Article VI of the Missouri Constitution, version 2 (2014-005).
<u>148-2012</u>	Dec 17	INITIATIVE PETITION. INITIATIVES.	Review and approval of the legal content and form of a fiscal note summary prepared for an initiative petition submitted by Aaron Malin amending Chapter 213, Revised Statutes of Missouri, version 2 (14-006).

<u>149-2012</u>	Dec 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Lara Granich to amend Chapter 290, Revised Statutes of Missouri, version 5 (2014-014).
<u>150-2012</u>	Dec 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Lara Granich regarding a proposed amendment to Chapter 290, Revised Statutes of Missouri, version 6 (2014-015).
<u>151-2012</u>	Dec 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Lara Granich regarding a proposed amendment to Chapter 290, Revised Statutes of Missouri, version 7 (2014-016).
<u>152-2012</u>	Dec 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Lara Granich regarding a proposed amendment to Chapter 290, Revised Statutes of Missouri, version 8 (2014-017).
<u>153-2012</u>	Dec 20	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Maureen Dickmann regarding a proposed amendment to Chapters 367 and 408, Revised Statutes of Missouri, version 2 (2014-018).
<u>154-2012</u>	Dec 21	INITIATIVE PETITION. INITIATIVES.	Review and approval of the sufficiency as to form of an initiative petition submitted by Mark Reading to amend Article I of the Missouri Constitution, version 1 (2014-019).
<u>155-2012</u>	Dec 24	INITIATIVE PETITION. INITIATIVES.	Review and approval of a summary statement prepared for the initiative petition submitted by Aaron Malin regarding a proposed amendment to Chapter 213, Revised Statutes of Missouri, version 2 (2014-006).



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 3, 2012

OPINION LETTER NO. 1-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of December 21, 2011, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 9). The fiscal note summary that you submitted is as follows:

This proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities as it will only enact enabling legislation allowing the establishment of local tobacco taxes that may or may not be submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster, which appears to read "Chris Koster".
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 2-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of December 21, 2011, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Robert Hess, (version 2). The fiscal note summary that you submitted is as follows:

Estimated additional revenue to state government from this proposal is \$283 million to \$423 million annually with limited estimated implementation costs or savings. The revenue will fund only programs and services allowed by the proposal. The fiscal impact to local governmental entities is unknown.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 3, 2012

OPINION LETTER NO. 3-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of December 21, 2011, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 1). The fiscal note summary that you submitted is as follows:

This proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities as it will only enact enabling legislation allowing the establishment of local tobacco taxes that may or may not be submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 4-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of December 21, 2011, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 3). The fiscal note summary that you submitted is as follows:

This proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities as it will only enact enabling legislation allowing the establishment of local tobacco taxes that may or may not be submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name, which includes a stylized 'K' and 'C'.
CHRIS KOSTER
Attorney General

OP-2011-0260



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 5-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 10).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General

OP-2011-0261



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

January 3, 2012

OPINION LETTER NO. 6-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 11).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

January 3, 2012

OPINION LETTER NO. 7-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 12).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

CHRIS KOSTER
Attorney General

OP-2011-0263



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 3, 2012

OPINION LETTER NO. 8-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 13).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of "Chris Koster" in a stylized, cursive font.
CHRIS KOSTER
Attorney General

OP-2011-0264



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 3, 2012

OPINION LETTER NO. 9-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 14).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

CHRIS KOSTER
Attorney General

OP-2011-0265



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 3, 2012

OPINION LETTER NO. 10-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 15).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

CHRIS KOSTER
Attorney General

OP-2011-0266



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 11-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 16).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 12-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 17).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, which includes a stylized 'K' and 'C'.
CHRIS KOSTER
Attorney General

OP-2011-0268



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 13-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 18).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.

CHRIS KOSTER
Attorney General

OP-2011-0269



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 14-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Mark Reading (version 19).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

CHRIS KOSTER
Attorney General

OP-2011-0270



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 15-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition submitted by Todd Jones.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.
2. The petition does not contain “all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined” as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine if additional deficiencies exist. Pursuant to § 116.332.3, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A large, handwritten signature in blue ink that reads "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2011-0271



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 16-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 149 and 196, Revised Statutes of Missouri submitted by Robert Hess (version A).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2011-0272



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 17-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition submitted by Robert Hess (version B).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.
2. The petition does not contain “all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined” as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine if additional deficiencies exist. Pursuant to § 116.332.3, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2011-0273



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 3, 2012

OPINION LETTER NO. 18-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 22, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition submitted by Robert Hess (version C).

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.
2. The petition does not contain “all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined” as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine if additional deficiencies exist. Pursuant to § 116.332.3, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2011-0274



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 3, 2012

OPINION LETTER NO. 19-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 23, 2011, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 9). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- allow voters in counties and the City of St. Louis to set and control local taxes on cigarettes or tobacco products within their county or city; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by such local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by

The Honorable Robin Carnahan
Page 2

statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 6, 2012

OPINION LETTER NO. 20-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 27, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 367 and 408, Revised Statutes of Missouri submitted by Jewell Patek.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

CHRIS KOSTER
Attorney General

OP-2011-0277



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 6, 2012

OPINION LETTER NO. 21-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 27, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 367 and 408, Revised Statutes of Missouri submitted by Jewell Patek (version 2).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General

OP-2011-0278



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 22-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 29, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 386 and 393, Revised Statutes of Missouri submitted by Paul C. Wilson (version 1.0a).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 9, 2012

OPINION LETTER NO. 23-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 29, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapter 149, Revised Statutes of Missouri submitted by Mark Reading (version 5).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 24-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 29, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 149 and 196, Revised Statutes of Missouri submitted by Mark Reading (version 6).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, which includes a stylized 'C' and 'K'.
CHRIS KOSTER
Attorney General

OP-2011-0282



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 25-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 29, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapter 149, Revised Statutes of Missouri submitted by Mark Reading (version 7).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, which includes a stylized 'K' and 'C'.

CHRIS KOSTER
Attorney General

OP-2011-0283



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 9, 2012

OPINION LETTER NO. 26-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 29, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 149 and 196, Revised Statutes of Missouri submitted by Mark Reading (version 8).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 27-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 29, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III of the Missouri Constitution submitted by Jeremiah Ratican (version A).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General

OP-2011-0285



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 28-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 29, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III of the Missouri Constitution submitted by Jeremiah Ratican (version B).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, which includes a stylized 'K' and 'C'.
CHRIS KOSTER
Attorney General

OP-2011-0286



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 29-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 29, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article XII of the Missouri Constitution submitted by Jeremiah Ratican (version C).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, which includes a stylized 'K' and 'C'.
CHRIS KOSTER
Attorney General

OP-2011-0287



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 30-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of December 29, 2011, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 2). The fiscal note summary that you submitted is as follows:

The proposal has no direct fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it enacts enabling legislation allowing the establishment of local tobacco taxes only if submitted to and approved by voters. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 31-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of December 29, 2011, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 4). The fiscal note summary that you submitted is as follows:

The proposal has no direct fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it enacts enabling legislation allowing the establishment of local tobacco taxes only if submitted to and approved by voters. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive style.
CHRIS KOSTER
Attorney General

OP-2011-0289



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 32-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 30, 2011, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Robert Hess regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version 2). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- create the Health and Education Trust Fund with proceeds of a tax of \$0.0365 per cigarette and 25% of the manufacturer's invoice price for roll-your-own tobacco and 15% for other tobacco products;
- use Fund proceeds to reduce and prevent tobacco use and for elementary, secondary, college, and university public school funding; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

OP-2011-0290

any funds in escrow can be refunded to the tobacco product manufacturer and create bonding requirements for these manufacturers?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 33-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 30, 2011, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version 1). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- allow voters in cities and counties to set and control local taxes on cigarettes or tobacco products within their city or county; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

OP-2011-0291

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 34-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 30, 2011, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version 2). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- allow voters in cities and counties to set and control local taxes on cigarettes or tobacco products within their city or county;
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

OP-2011-0292

any funds in escrow can be refunded to the tobacco product manufacturer?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 9, 2012

OPINION LETTER NO. 35-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 30, 2011, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version 3). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- allow voters in cities and counties to set and control local taxes on cigarettes or tobacco products within their city or county; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

OP-2011-0293

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 9, 2012

OPINION LETTER NO. 36-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 30, 2011, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version 4). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- allow voters in cities and counties to set and control local taxes on cigarettes or tobacco products within their city or county;
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

OP-2011-0294

The Honorable Robin Carnahan
Page 2

any funds in escrow can be refunded to the tobacco product manufacturer?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 17, 2012

OPINION LETTER NO. 37-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 4, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III of the Missouri Constitution submitted by Jewell Patek.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, which includes a stylized 'C' and 'K'.

CHRIS KOSTER
Attorney General

OP-2012-0001



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 17, 2012

REVISED OPINION LETTER NO. 38-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 9, 2012, submitting a revised fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Paul C. Wilson. The fiscal note summary that you submitted is as follows:

Direct costs or savings to state and local governmental entities is minimal. However, if the proposal results in increased electric utility retail rates, millions of dollars in higher utility costs may occur for governmental entities. Higher utility costs may negatively impact the state's economy including state and local governmental revenues.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 39-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 10). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

CHRIS KOSTER
ATTORNEY GENERAL

65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 40-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 11). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 41-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 12). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General

OP-2012-0007



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 42-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 13). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 20, 2012

OPINION LETTER NO. 43-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 14). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 44-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 15). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 45-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 16). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0011



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 46-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 17). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 20, 2012

OPINION LETTER NO. 47-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 18). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 20, 2012

OPINION LETTER NO. 48-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading, (version 19). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify the constitution to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0014



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 20, 2012

OPINION LETTER NO. 49-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 10, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Robert Hess, (version A). The fiscal note summary that you submitted is as follows:

Estimated additional revenue to state government is \$283 million to \$423 million annually with limited estimated implementation costs or savings. The revenue will fund only programs and services allowed by the proposal. The fiscal impact to local governmental entities is unknown.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 50-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 10, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 149 and 196, Revised Statutes of Missouri submitted by Robert Hess (version D).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General

OP-2012-0016



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 20, 2012

OPINION LETTER NO. 51-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 10, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 149 and 196, Revised Statutes of Missouri submitted by Robert Hess (version E).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 20, 2012

OPINION LETTER NO. 52-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 10, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 149 and 196, Revised Statutes of Missouri submitted by Robert Hess (version F).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.

CHRIS KOSTER
Attorney General

OP-2012-0018



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 53-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 10, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 149 and 196, Revised Statutes of Missouri submitted by Robert Hess (version G).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General

OP-2012-0019



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 54-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 10, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 149 and 196, Revised Statutes of Missouri submitted by Robert Hess (version H).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 20, 2012

OPINION LETTER NO. 55-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 10, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 149 and 196, Revised Statutes of Missouri submitted by Robert Hess (version I).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster, which appears to read "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0021



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 56-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jewell Patek. The fiscal note summary that you submitted is as follows:

The proposal is estimated to result in no direct costs or savings to state and local governmental entities.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 23, 2012

OPINION LETTER NO. 57-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jewell Patek (version 2). The fiscal note summary that you submitted is as follows:

The proposal is estimated to result in no direct costs or savings to state and local governmental entities.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 58-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Paul C. Wilson (version 1.0a). The fiscal note summary that you submitted is as follows:

State governmental entities estimated annual implementation costs of \$90,000. State and local governmental entities said the proposal may cause an unknown increase in their electric utility costs. Utilities estimated that increase would be at least \$4 million annually. Higher utility costs may negatively impact the state's economy including state and local governmental revenues.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 59-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading (version 5). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify state law to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General

OP-2012-0025



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 60-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading (version 6). The fiscal note summary that you submitted is as follows:

The proposal has no direct fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would primarily modify state law to allow local tobacco taxes if submitted to and approved by voters. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0026



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 61-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading (version 7). The fiscal note summary that you submitted is as follows:

The proposal has no fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would only modify state law to allow the establishment of local tobacco taxes if submitted to and approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.
CHRIS KOSTER
Attorney General

OP-2012-0027



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 62-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Mark Reading (version 8). The fiscal note summary that you submitted is as follows:

The proposal has no direct fiscal impact (change in costs, savings, or revenues) for state and local governmental entities since it would primarily modify state law to allow local tobacco taxes if submitted to and approved by voters. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 63-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jeremiah Ratican (version A). The fiscal note summary that you submitted is as follows:

The proposal is estimated to result in no direct costs or savings to state and local governmental entities.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Koster".
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 23, 2012

OPINION LETTER NO. 64-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jeremiah Ratican (version B). The fiscal note summary that you submitted is as follows:

The proposal is estimated to result in no direct costs or savings to state and local governmental entities.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 65-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 13, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jeremiah Ratican (version C). The fiscal note summary that you submitted is as follows:

The proposal is estimated to result in no direct costs or savings to state and local governmental entities.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General

OP-2012-0031



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 66-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Paul Wilson regarding a proposed amendment to Chapter 393, Revised Statutes of Missouri. The proposed summary statement is as follows:

Shall Missouri law be amended to:

- increase incrementally the total amount of renewable energy produced from sources such as wind turbines, solar, and hydropower that investor-owned electric utilities are required to purchase, generate, or otherwise acquire to at least 25% of their total retail sales by 2026, and limit rate increases to retail customers for compliance with this standard;
- require that such renewable energy be either procured by an electric utility for Missouri retail customers or generated by such customers; and

- provide for solar energy incentives for retail customers and additional duties for the Office of Public Counsel?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 67-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 10). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- allow voters in cities and counties to set and control local taxes on cigarettes or tobacco products within their city or county; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 68-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 11). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- allow voters in counties to set and control local taxes on cigarettes or tobacco products within their county; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 69-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 12). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to allow voters in cities and counties to set and control local taxes on cigarettes or tobacco products within their city or county?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 23, 2012

OPINION LETTER NO. 70-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 13). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to allow voters in counties to set and control local taxes on cigarettes or tobacco products within their county?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 23, 2012

OPINION LETTER NO. 71-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 14). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to allow voters in counties to set and control local taxes on cigarettes or tobacco products within their county?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 72-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 15). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- allow voters in counties to set and control local taxes on cigarettes or tobacco products within their county; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 73-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 16). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- allow voters in counties and certain cities to set and control local taxes on cigarettes or tobacco products within their county or city; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by such local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 74-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 17). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- allow voters in counties and certain cities to set and control local taxes on cigarettes or tobacco products within their county or city; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by such local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

OP-2012-0040

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 23, 2012

OPINION LETTER NO. 75-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 18). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to allow voters in counties and certain cities to set and control local taxes on cigarettes or tobacco products within their county or city?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 23, 2012

OPINION LETTER NO. 76-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 19). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to allow voters in counties and certain cities to set and control local taxes on cigarettes or tobacco products within their county or city?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 23, 2012

OPINION LETTER NO. 77-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Robert Hess regarding a proposed amendment to Chapters 149 and 196, Revised Statutes of Missouri (version A). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- create the Health and Education Trust Fund with proceeds of a tax of \$0.0365 per cigarette and 25% of the manufacturer's invoice price for roll-your-own tobacco and 15% for other tobacco products;
- use Fund proceeds to reduce and prevent tobacco use and for elementary, secondary, college, and university public school funding; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

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any funds in escrow can be refunded to the tobacco product manufacturer and create bonding requirements for these manufacturers?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 27, 2012

OPINION LETTER NO. 78-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 17, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III of the Missouri Constitution submitted by Jewell Patek (version 2).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 30, 2012

OPINION LETTER NO. 79-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 18, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article IX of the Missouri Constitution submitted by Marc Ellinger.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.

CHRIS KOSTER
Attorney General

OP-2012-0046



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

January 30, 2012

OPINION LETTER NO. 80-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 20, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jewell Patek regarding a proposed amendment to amend Chapters 367 and 408, Revised Statutes of Missouri. The proposed summary statement is as follows:

Shall Missouri law be amended to limit the annual rate of interest, fees, and finance charges for payday, title, installment, and consumer credit loans and prohibit such lenders from using other transactions to avoid the rate limit?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.
CHRIS KOSTER
Attorney General

OP-2012-0048



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 30, 2012

OPINION LETTER NO. 81-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 20, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jewell Patek regarding a proposed amendment to amend Chapters 367 and 408, Revised Statutes of Missouri (version 2). The proposed summary statement is as follows:

Shall Missouri law be amended to limit the annual rate of interest, fees, and finance charges for payday, title, installment, and consumer credit loans, unless the parties agree otherwise in writing, and prohibit such lenders from using other transactions to avoid the rate limit?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name, which includes a stylized 'K' and 'C'.
CHRIS KOSTER
Attorney General

OP-2012-0049



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

January 30, 2012

OPINION LETTER NO. 82-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 20, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article III of the Missouri Constitution submitted by Todd Jones.

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General

OP-2012-0050



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

February 2, 2012

OPINION LETTER NO. 83-2012

Mr. Rich Lamb
Executive Deputy Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Mr. Lamb:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Paul Wilson regarding a proposed amendment to amend Chapters 393 and 408, Revised Statutes of Missouri (version 1.0a). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- increase incrementally the total amount of renewable energy produced from sources such as wind turbines, solar, and hydropower that investor-owned electric utilities are required to purchase, generate, or otherwise acquire to at least 25% of their total retail sales by 2026, and limit rate increases to retail customers for compliance with this standard;
- require that such renewable energy be either procured by an electric utility for Missouri retail customers or generated by such customers; and

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Mr. Rich Lamb
Page 2

- provide for solar energy incentives for retail customers and additional duties for the Office of Public Counsel?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 2, 2012

OPINION LETTER NO. 84-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jeremiah Ratican regarding a proposed constitutional amendment to amend Article III of the Missouri Constitution (version A). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to prohibit the repeal or amendment by the general assembly of a statute enacted by citizen initiative passed by the voters of Missouri, except by either a two-thirds vote of the members of each house or a vote of the people through a referendum or unless such statute explicitly provides that the general assembly may repeal or amend it by a majority vote of the members of each house?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

February 2, 2012

OPINION LETTER NO. 85-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jeremiah Ratican regarding a proposed constitutional amendment to amend Article III of the Missouri Constitution (version B). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- prohibit the repeal or amendment by the legislature of a statute enacted by citizen initiative passed by the voters of Missouri, except by either a two-thirds vote of each house or a vote of the people through a referendum or unless such statute explicitly provides that the legislature may repeal or amend it by a majority vote of each house;
- require a two-thirds vote of the legislature before referring any statutory change to a public vote; and

- require votes on referendums to be held at general state elections?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 2, 2012

OPINION LETTER NO. 86-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jeremiah Ratican regarding a proposed constitutional amendment to amend Article III of the Missouri Constitution (version C). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to require a two-thirds vote of each house of the general assembly to propose a constitutional amendment to Missouri voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

CHRIS KOSTER
Attorney General

OP-2012-0054



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 2, 2012

OPINION LETTER NO. 87-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed amendment to amend Chapter 149, Revised Statutes of Missouri (version 5). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- allow voters in cities and counties to set and control local taxes on cigarettes or tobacco products within their city or county; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

February 2, 2012

OPINION LETTER NO. 88-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version 6). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- allow voters in cities and counties to set and control local taxes on cigarettes or tobacco products within their city or county;
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before any funds in escrow can be refunded to the tobacco product manufacturer?

OP-2012-0056

The Honorable Robin Carnahan
Page 2

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 2, 2012

OPINION LETTER NO. 89-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed amendment to amend Chapter 149, Revised Statutes of Missouri (version 7). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- allow voters in counties to set and control local taxes on cigarettes or tobacco products within their county; and
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

OP-2012-0057

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

February 2, 2012

OPINION LETTER NO. 90-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 23, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mark Reading regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version 8). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- allow voters in counties to set and control local taxes on cigarettes or tobacco products within their county;
- use the proceeds of such taxes for local job creation, health care, public education, reduction and prevention of tobacco use, or other uses specifically approved by local voters; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before any funds in escrow can be refunded to the tobacco product manufacturer?

OP-2012-0058

The Honorable Robin Carnahan
Page 2

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

February 3, 2012

OPINION LETTER NO. 91-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 24, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jewell Patek. The fiscal note summary that you submitted is as follows:

The proposal is estimated to result in no direct costs or savings to state and local governmental entities.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Koster".
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 6, 2012

OPINION LETTER NO. 92-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated January 27, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jewell Patek regarding a proposed constitutional amendment to amend Article III of the Missouri Constitution. The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to restrict the legislature's authority to set a minimum or maximum annual percentage rate on loans by allowing borrowers and lenders to agree, without any limits, on the cost of borrowing money?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0062

**OPEN PUBLIC
RECORDS:
PRIVACY:
SUNSHINE LAW:**

Chapter 610, RSMo, generally requires records of public governmental bodies to be open, and the public employee pension database records qualify as such. But the Sunshine law allows a public governmental body to close personally identifiable personnel records and records pertaining to employees, which would include pension database records. The only exception to this allowance is that records of the name, position, salary, and length of service of public employees may not be closed. Accordingly, information in the records consisting of the names and payments to public employees must be disclosed, but the rest may remain closed.

OPINION NO. 93-2012

February 6, 2012

Ms. Denise M. Droege
Custodian of Records
Employees Retirement System of the City of St. Louis
1114 Market Street, Room 900
St. Louis, Missouri 63101

Dear Ms. Droege:

You ask whether certain data fields in pension database reports must be disclosed pursuant to a Sunshine Law request.

The facts you provided state that, on February 28, 2011, the Board of Trustees of the Employees Retirement System of the City of St. Louis (ERS) adopted a resolution that closes all records "which are closed by law or may be closed by law" under the Sunshine Law¹ and its exceptions.

On April 27, 2011, reporters from the St. Louis Post-Dispatch made a Sunshine Law request for copies of "all pension database reports provided to

¹ Section 610.010, RSMo *et seq.* All statutory citations are to RSMo Cum. Supp. 2011.

system actuaries for the year ending Sept. 31, 2010 ... includ[ing] information for members of the Retirement Payment system, the DROP Master, and the ERS Member databases.” In response, you provided the names of all active and terminated vested members of ERS, the names of all who receive a monthly pension benefit and its amount, the name of each retiree receiving a monthly DROP distribution and its amount, and the name of each person who received a lump sum or direct rollover of a DROP benefit and its amount. Exhibit D, page 2. You also said that all other information was either a closed record or might be a closed record under exceptions to the Sunshine Law found in § 610.021(5), (13), (14), (21), RSMo.

The Sunshine Law “shall be liberally construed” to require that records be open, and any “exceptions strictly construed[.]” § 610.011.1, RSMo; *Guyer v. City of Kirkwood*, 38 S.W.3d 412, 414 (Mo. banc 2001) (where one provision allowed record to be closed and other provision required it to be open, conflict would be resolved in favor of openness); *Great Rivers Environmental Law Center v. City of St. Peters*, 290 S.W.3d 732, 735 (Mo. App. E.D. 2009) (exceptions to Sunshine Law must be strictly construed). “The primary rule of statutory construction is to ascertain the intent of the legislature from the language used, to give effect to that intent if possible, and to consider words used in the statute in their plain and ordinary meaning.” *Howard v. City of Kansas City*, 332 S.W.3d 772, 779 (Mo. banc 2011). “Strict construction of a statute requires that the scope of the statute not be extended beyond its literal meaning and that the statute not be unreasonably interpreted.” *Snyder v. Consolidated Library Dist. No. 3*, 306 S.W.3d 133, 137 (Mo. App. W.D. 2010). Applying strict construction “does not require that the court ignore either common sense or evident statutory purpose.” *Irvin v. Bd. of Probation and Parole*, 34 S.W.3d 202, 205 (Mo. App. W.D. 2000). Where a statute’s terms are plain, it makes no difference “whether liberal or strict construction principles are applied.” *Snyder v. Consolidated Library Dist. No. 3*, 306 S.W.3d at 137.

The Sunshine Law generally provides that “all public records of public governmental bodies shall be open to the public for inspection and copying[.]” § 610.011.2, RSMo. There is no dispute that ERS is a “public governmental body” as defined by § 610.010(4), RSMo—it is a board that administers the pensions of public employees of the City of St. Louis and was created by the City. See *Travers v. Board of Trustees of Employees’ Retirement System of City of St. Louis*, 756 S.W.2d 623, 624-25 (Mo. App. E.D. 1988); §§ 4.16.100-

4.16.130, St. Louis City Revised Code, 2011. Therefore it is an “administrative ... entity created by ... order or ordinance of any political subdivision[.]” § 610.010(4), RSMo. Nor is there any dispute that the pension reports are “public records” as defined by § 610.010(6), RSMo—the reports are a “record ... retained by or of” ERS. Accordingly, if no exception to the Sunshine Law applies, all information in the reports must be disclosed upon request.

Exceptions to the Sunshine Law are generally found in § 610.021, RSMo, which provides, in pertinent part, as follows:

Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following: ...

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such ... ;

(14) Records which are protected from disclosure by law.

The exception in subdivision fourteen operates so that where disclosure is forbidden or made discretionary in another section of the Missouri statutes or by federal statute, that is a valid exception to the Sunshine Law, though not specifically referenced in Chapter 610, RSMo. *Pulitzer Pub. Co. v. Missouri State Employees' Retirement System*, 927 S.W.2d 477, 481 (Mo. App. W.D. 1996); *Oregon County R-IV School Dist. v. LeMon*, 739 S.W.2d 553, 557 (Mo. App. S.D. 1987); see also *Scroggins v. Missouri Dept. of Social Services*, 227 S.W.3d 498, 500-503 (Mo. App. W.D. 2007).

Subdivision thirteen allows a public governmental body to completely close all records that “relate to ... individually identifiable personnel records[.]” § 610.021(13), RSMo. The only exception to this exception is for

“names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such.” *Id.*

The term “personnel records” is not defined in the statute, so we look to the dictionary definition. This term is an exception to open records and therefore must be construed narrowly, § 610.011.1, RSMo; *Great Rivers Environmental Law Center v. City of St. Peters*, 290 S.W.3d at 735; the exception itself is worded broadly, by including records that merely “relate to” personnel records in the exception. § 610.021, RSMo. This evidences a legislative intent that these records generally may be closed.

The term “personnel” is defined as “a body of persons employed in some service.” *Webster’s Third New International Dictionary*, pg. 1687 (1993). “Personnel records” would presumably include those kept by a “personnel” or human resources staff or for the purposes usually assigned to or managed by such a staff. In that respect, “personnel” means “with respect to efficiency, training, service, and health,” or “the division of an organization concerned primarily with the selection, placement, and training of employees.” *Id.* Among “personnel files,” then, would be files relating to “efficiency, training, service, or health,” or to “selection, placement, and training.” They might also include records of an individual employee’s work and leave hours, contact information for the employee, social security numbers, information on marital status and dependents, and other information pertaining to the administration of benefits and the reporting and paying of taxes and garnishments.

Further, subdivision thirteen allows a public governmental body to completely close all records that “relate to ... individually identifiable ... records pertaining to employees[.]” § 610.021(13), RSMo. The scope of this exception has not been defined. Even considering that this exception must be construed narrowly, § 610.011.1, RSMo; *Great Rivers Environmental Law Center v. City of St. Peters*, 290 S.W.3d at 735, the broad wording shows that the legislative intent is to allow employment records to be closed, unless the records consist of or show names, positions, salaries, and lengths of service of public employees. § 610.021(13), RSMo; *Howard v. City of Kansas City*, 332 S.W.3d at 779 (primary rule of statutory construction is to give effect to legislative intent). Therefore, if individually identifiable records pertaining to employees exist in the ERS pension database records, and these records

are not the name, position, salary, and length of service of a public employee, these may be closed.²

Accordingly, it may be that, in the case of disclosure of individually identifiable records, § 610.011, RSMo, which provides that public records are to be open “unless otherwise provided by law,” should be construed to prohibit governmental disclosure of some records regarding individuals. *State ex rel. Praxair, Inc. v. Missouri Public Service Com'n*, 344 S.W.3d 178, 187, note 7 (Mo. banc 2011) (where possible, court will construe statute to

² Additionally, although “[n]either the federal nor the Missouri constitutions expressly provide a right of privacy,” *North Kansas City Hosp. Bd. of Trustees v. St. Luke's Northland Hospital*, 984 S.W.2d 113, 121 (Mo. App. W.D. 1998), quoting *Cruzan* by *Cruzan v. Harmon*, 760 S.W.2d 408, 417 (Mo. banc 1988), in two cases the Supreme Court of Missouri said that individuals do have a fundamental right of privacy in employment records, which include personnel records. *State ex rel. Crowden v. Dandurand*, 970 S.W.2d 340, 343 (Mo. banc 1998) (“Employees have a fundamental right of privacy in employment records.”); *State ex rel. Delmar Gardens North Operating, LLC v. Gaertner*, 239 S.W.3d 608, 611 (Mo. banc 2007) (“Missouri recognizes a right of privacy in personnel records that should not be lightly disregarded or dismissed.”). In the Sunshine Law context, courts have suggested that individuals may have a constitutional right to privacy in their individually identifiable records that could, in some situations, require the records to remain closed. *Chasnoff v. Board of Police Com'rs*, 334 S.W.3d 147, 152 (Mo. App. E.D. 2011) (if the Sunshine Law requires a governmental body to disclose an individual’s private information, the individual may be able to bring an independent lawsuit to prevent the disclosure, based upon a statutory or constitutional right to privacy); *North Kansas City Hosp. Bd. of Trustees v. St. Luke's Northland Hospital*, 984 S.W.2d at 121-122 (disclosure of terms of contract with public body would not violate right to privacy); *City of Springfield v. Events Pub. Co.*, 951 S.W.2d 366, 372 (Mo. App. S.D. 1997) (individual’s right to privacy would not be violated where utility customer could request confidentiality and thus prevent disclosure under the Sunshine Law); *Hyde v. City of Columbia*, 637 S.W.2d 251, 263 (Mo. App. W.D. 1982) (where Sunshine Law failed to adequately protect individual’s right to privacy, court would construe statute so as to prevent the disclosure of the information). Because of our conclusion below that the records at issue may be closed under the terms of the statute itself, we do not explore the scope of or basis for constitutional protection.

avoid constitutional problems); *Hyde v. City of Columbia*, 637 S.W.2d at 263; § 610.011, RSMo (public records are to be open “unless otherwise provided by law”).³

Applying this law to the situation at hand, the ERS pension database records are “personnel” records because they are records kept by ERS about employees in order to administer their retirement benefits. And because they are kept by name and social security number, they are “individually identifiable.” ERS was thus entitled to close the records pursuant to § 610.021(13) and (14).

That does not mean that the records can be closed in their entirety, however. Again, the “personnel” exception does not cover “names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such,” § 610.021(13), RSMo, so information in the records that is one of these items must be disclosed upon request. In the context of a request that the Missouri State Employees’ Retirement System disclose personal information of its members, a court held:

MOSERS is required to provide, if it has the information, the name, position, pension amount, and length of service of members who are receiving benefits, or have in the past. MOSERS may close all other individually identifiable personnel information, including but not limited to, the addresses and telephone numbers of members, thereby minimizing the risk of exploitation of vulnerable, elderly retirees by unscrupulous elements who might request blanket information for inappropriate purposes.

³ Although § 610.021(14), RSMo Cum. Supp. 2011, allows to be closed “[r]ecords which are protected from disclosure by law,” in that respect this exception is not, standing alone, a guarantee of a right to privacy, because this section only *allows* the records to be closed. Here, however, you indicated that ERS has chosen to close the records at issue, so there is no need to consider whether a right to privacy mandates closure.

Pulitzer Pub. Co. v. Missouri State Employees' Retirement System, 927 S.W.2d 477, 483 (Mo. App. W.D. 1996). By the same rule, ERS may close all individually identifiable personnel information other than name, position, salary, and length of service of officers and employees of public agencies.

Applying the exceptions in § 610.021, RSMo Cum. Supp. 2011, prohibiting the closing of the part of personnel and employee records that are the “names, positions, salaries and lengths of service of officers and employees of public agencies,” the information in the ERS database that concerns personnel who are not officers and employees of public agencies may be closed.⁴ The name of the employee in the ERS pension database records has already been provided. As we understand them, none of the records contain information about the position of the employee. Nor do they contain the length of service of the employee; although they contain the data field for the employee’s “months of creditable service,” that is not the same as the employee’s “length of service,” due to differences in the manner in which eligibility to become a member of the pension plan is calculated. Therefore, this field may be a closed record.

The only other pertinent exception to the exception is “salaries” of the employees. Although retirement benefits are generally not considered as part of an employee’s salary, for purposes of the Sunshine Law, they are. *Pulitzer Pub. Co. v. Missouri State Employees' Retirement System*, 927 S.W.2d at 482. Therefore, the employee’s monthly pension benefit, and the employee’s payments under the DROP plan must be provided, and have been already. We note that the pension plan allows certain employees to voluntarily contribute additional money to the plan in order to increase their retirement benefits. § 4.16.070A, St. Louis Code. If these additional contributions are essentially a savings account, such as a deferred compensation account, then they are not part of an employee’s salary, and

⁴ The facts you provided state that some members of ERS are employees, but not employees of public agencies. As discussed above, the Sunshine Law allows “personnel records” and “records pertaining to employees” to be closed. § 610.021(13), RSMo. Because these individuals are not “employees of public agencies,” *id.*, their names, positions, salaries, and lengths of service do not need to be disclosed—that is, the exception to the exception does not apply to them. *Id.*

may properly be closed.⁵ Further, because the year to date benefits is also considered “salary” under the Sunshine Law, as construed in *Pulitzer*, those must also be disclosed. Also, because the member’s final average compensation and bi-weekly compensation are measures of a person’s salary, and because that term is construed broadly, this information also is open. The amount of money that has accrued to a member’s DROP account is money the employee has a legal right to claim as compensation, which makes it a form of “salary” under the Sunshine Law, so the member’s DROP account balance must also be disclosed.

Payments made to an employee’s surviving spouse or children are not “salary” being paid to the employee—the employee is no longer receiving a salary, because the employee is deceased. However, payments to an employee’s surviving spouse or children are only made because it was part of the employee’s compensation, and these payments do not lose their character upon the death of the employee. Therefore, these payments must also be disclosed, though, the names and contact information of these beneficiaries are individually identifiable records that may properly be closed under § 610.021(13), RSMo. See *Pulitzer Pub. Co. v. Missouri State Employees’ Retirement System*, 927 S.W.2d at 482.

In contrast, the estimated vested inactive member’s amount of monthly pension benefit at normal service retirement date is not an employee’s salary. That is merely an estimate, applying a mathematical formula based on many variables, in order to help the individual employee better plan for retirement. ERS does not guarantee that the employee will receive that particular benefit amount at retirement. Therefore, the individual’s estimated amount of monthly benefit is not part of the member’s salary, and may be closed.

The rest of the information in the records may be legally closed. Every field is “individually identifiable personnel information” or “records

⁵ In *Pulitzer Pub. Co. v. Missouri State Employees’ Retirement System*, 927 S.W.2d at 483, the court required disclosure of benefit payments even if a result of investment income, rather than tax dollars. However, this language refers to returns on investments of state dollars made by MOSERS, not to an individual’s deferred compensation account.

pertaining to employees" that is not the employee's name, position, salary, or length of service.⁶

In conclusion, Chapter 610, RSMo, generally requires records of public governmental bodies to be open, and the public employee pension database records qualify as such. But the Sunshine law allows a public governmental body to close personally identifiable personnel records and records pertaining to employees, which would include pension database records. The only exception to this allowance is that records of the name, position, salary, and length of service of public employees may not be closed. Accordingly, information in the records consisting of the names and payments to public employees must be disclosed, but the rest may remain closed.

Very truly yours,



CHRIS KOSTER
Attorney General

⁶ There are 69 separate fields in the databases, containing the above listed information, and also information such as employee's and spouse's gender, date of birth, social security number, system identification number, amount of medical leave, whether they were on disability, the code for the place of employment, months of creditable service lost during certain time periods, etc. The information concerning whether the employee is on disability and how much medical leave remains to the employee is also a record that may be closed under § 610.021(5), RSMo Cum. Supp. 2011, which allows the closing of "[n]onjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment."



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

February 8, 2012

OPINION LETTER NO. 94-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 30, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Robert Hess (version D). The fiscal note summary that you submitted is as follows:

Estimated additional revenue to state government is \$283 million to \$423 million annually with limited estimated implementation costs or savings. The revenue will fund only programs and services allowed by the proposal. The fiscal impact to local governmental entities is unknown. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

February 8, 2012

OPINION LETTER NO. 95-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 30, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Robert Hess (version E). The fiscal note summary that you submitted is as follows:

Estimated additional revenue to state government is \$283 million to \$423 million annually with limited estimated implementation costs or savings. The revenue will fund only programs and services allowed by the proposal. The fiscal impact to local governmental entities is unknown. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

February 8, 2012

OPINION LETTER NO. 96-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 30, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Robert Hess (version F). The fiscal note summary that you submitted is as follows:

Estimated additional revenue to state government is \$283 million to \$423 million annually with limited estimated implementation costs or savings. The revenue will fund only programs and services allowed by the proposal. The fiscal impact to local governmental entities is unknown. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 8, 2012

OPINION LETTER NO. 97-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 30, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Robert Hess (version G). The fiscal note summary that you submitted is as follows:

Estimated additional revenue to state government is \$283 million to \$423 million annually with limited estimated implementation costs or savings. The revenue will fund only programs and services allowed by the proposal. The fiscal impact to local governmental entities is unknown. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 8, 2012

OPINION LETTER NO. 98-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 30, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Robert Hess (version H). The fiscal note summary that you submitted is as follows:

Estimated additional revenue to state government is \$283 million to \$423 million annually with limited estimated implementation costs or savings. The revenue will fund only programs and services allowed by the proposal. The fiscal impact to local governmental entities is unknown. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

February 8, 2012

OPINION LETTER NO. 99-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of January 30, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Robert Hess (version I). The fiscal note summary that you submitted is as follows:

Estimated additional revenue to state government is \$283 million to \$423 million annually with limited estimated implementation costs or savings. The revenue will fund only programs and services allowed by the proposal. The fiscal impact to local governmental entities is unknown. Escrow fund changes may result in an unknown increase in future state revenue.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 8, 2012

OPINION LETTER NO. 100-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 3, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Robert Hess regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version D). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- create the Health and Education Trust Fund with proceeds of a tax of \$0.0365 per cigarette and 25% of the manufacturer's invoice price for roll-your-own tobacco and 15% for other tobacco products;
- use Fund proceeds to reduce and prevent tobacco use and for elementary, secondary, college, and university public school funding; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

OP-2012-0072

any funds in escrow can be refunded to the tobacco product manufacturer and create bonding requirements for these manufacturers?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 8, 2012

OPINION LETTER NO. 101-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 3, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Robert Hess regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version E). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- create the Health and Education Trust Fund with proceeds of a tax of \$0.0365 per cigarette and 25% of the manufacturer's invoice price for roll-your-own tobacco and 15% for other tobacco products;
- use Fund proceeds to reduce and prevent tobacco use and for elementary, secondary, college, and university public school funding; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

OP-2012-0073

any funds in escrow can be refunded to the tobacco product manufacturer and create bonding requirements for these manufacturers?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 8, 2012

OPINION LETTER NO. 102-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 3, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Robert Hess regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version F). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- create the Health and Education Trust Fund with proceeds of a tax of \$0.0365 per cigarette and 25% of the manufacturer's invoice price for roll-your-own tobacco and 15% for other tobacco products;
- use Fund proceeds to reduce and prevent tobacco use and for elementary, secondary, college, and university public school funding; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

OP-2012-0074

any funds in escrow can be refunded to the tobacco product manufacturer and create bonding requirements for these manufacturers?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 8, 2012

OPINION LETTER NO. 103-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 3, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Robert Hess regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version G). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- create the Health and Education Trust Fund with proceeds of a tax of \$0.0365 per cigarette and 25% of the manufacturer's invoice price for roll-your-own tobacco and 15% for other tobacco products;
- use Fund proceeds to reduce and prevent tobacco use and for elementary, secondary, college, and university public school funding; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

any funds in escrow can be refunded to the tobacco product manufacturer and create bonding requirements for these manufacturers?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 8, 2012

OPINION LETTER NO. 104-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 3, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Robert Hess regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version H). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- create the Health and Education Trust Fund with proceeds of a tax of \$0.0365 per cigarette and 25% of the manufacturer's invoice price for roll-your-own tobacco and 15% for other tobacco products;
- use Fund proceeds to reduce and prevent tobacco use and for elementary, secondary, college, and university public school funding; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

OP-2012-0076

any funds in escrow can be refunded to the tobacco product manufacturer and create bonding requirements for these manufacturers?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

February 8, 2012

OPINION LETTER NO. 105-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 3, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Robert Hess regarding a proposed amendment to amend Chapters 149 and 196, Revised Statutes of Missouri (version I). The proposed summary statement is as follows:

Shall Missouri law be amended to:

- create the Health and Education Trust Fund with proceeds of a tax of \$0.0365 per cigarette and 25% of the manufacturer's invoice price for roll-your-own tobacco and 15% for other tobacco products;
- use Fund proceeds to reduce and prevent tobacco use and for elementary, secondary, college, and university public school funding; and
- increase the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before

OP-2012-0077

any funds in escrow can be refunded to the tobacco product manufacturer and create bonding requirements for these manufacturers?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

February 14, 2012

OPINION LETTER NO. 106-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 1, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition submitted by Jewell Patek (version 1).

We conclude that the petition must be rejected because the petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine if additional deficiencies exist. Pursuant to § 116.332.3, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

February 14, 2012

OPINION LETTER NO. 107-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 1, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition submitted by Jewell Patek (version 2).

We conclude that the petition must be rejected because the petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine if additional deficiencies exist. Pursuant to § 116.332.3, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General

OP-2012-0071



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

February 14, 2012

OPINION LETTER NO. 108-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of February 3, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jewell Patek (version 2). The fiscal note summary that you submitted is as follows:

The proposal is estimated to result in no direct costs or savings to state and local governmental entities.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 16, 2012

OPINION LETTER NO. 109-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of February 6, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Marc Ellinger. The fiscal note summary that you submitted is as follows:

Estimated costs for state and local governmental entities are unknown, but the initial and annual costs could be significant (millions of dollars) depending on decisions made at the state and local level to comply with required provisions in this proposal.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster, which appears to read "Chris Koster".
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

CHRIS KOSTER
ATTORNEY GENERAL

65102

P.O. Box 899
(573) 751-3321

February 21, 2012

OPINION LETTER NO. 110-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of February 8, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Todd Jones. The fiscal note summary that you submitted is as follows:

This proposal could have a significant negative fiscal impact on state and local governmental entities by prohibiting certain research activities currently occurring in the state. The total costs to state and local governmental entities are unknown.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster, which appears to read "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0080



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 21, 2012

OPINION LETTER NO. 111-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 10, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jewell Patek regarding a proposed constitutional amendment to amend Article III of the Missouri Constitution (version 2). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to restrict the legislature's authority to set a minimum or maximum annual percentage rate over a certain amount on loans by allowing borrowers and lenders to agree, without any limits, on the cost of borrowing money?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 27, 2012

OPINION LETTER NO. 112-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 16, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Todd Jones regarding a proposed constitutional amendment to amend Article III of the Missouri Constitution. The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to change the current ban on human cloning or attempted cloning to limit Missouri patients' access to stem cell research, therapies and cures approved by voters in November 2006 by redefining the ban on human cloning to criminalize and impose civil penalties for some existing research, therapies and cures?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 27, 2012

OPINION LETTER NO. 113-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 16, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Marc H. Ellinger regarding a proposed constitutional amendment to amend Article IX of the Missouri Constitution. The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- deny any state or local funds for school districts that enter into contracts with teachers or certificated staff for longer than three years, or that use years of employment to retain, remove, promote, or demote teachers;
- require local school districts to develop new salary and performance standards for teachers; and
- require all teachers and certificated staff to serve as “at will” employees who may be dismissed or demoted without cause unless they enter into

OP-2012-0084

a contract that meets the above provisions or are covered by an existing contract with the school district?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 27, 2012

OPINION LETTER NO. 114-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 17, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Jewell Patek (version 3).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General

OP-2012-0085



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

February 27, 2012

OPINION LETTER NO. 115-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated February 17, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article X of the Missouri Constitution submitted by Jewell Patek (version 4).

We approve the petition as to form, but § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General

OP-2012-0086



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

March 19, 2012

OPINION LETTER NO. 116-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of March 7, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jewell Patek (version 3). The fiscal note summary that you submitted is as follows:

The proposal has no direct fiscal impact (change in costs, savings, or revenues) for state and local governmental entities. Indirectly, the fiscal impact to state and local governmental entities resulting from any measures submitted to voters as allowed by this proposal is unknown.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

March 19, 2012

OPINION LETTER NO. 117-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of March 7, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Jewell Patek (version 4). The fiscal note summary that you submitted is as follows:

The proposal has no direct fiscal impact (change in costs, savings, or revenues) for state and local governmental entities. Indirectly, the fiscal impact to state and local governmental entities resulting from any measures submitted to voters as allowed by this proposal is unknown.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

March 19, 2012

OPINION LETTER NO. 118-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated March 9, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jewell Patek regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 3). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to allow voters in cities and counties to set and control local taxes on beverages, except for water containing no flavor additives and pure fruit juice, within their city or county?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name.

CHRIS KOSTER
Attorney General

OP-2012-0090



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

March 19, 2012

OPINION LETTER NO. 119-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated March 9, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Jewell Patek regarding a proposed constitutional amendment to amend Article X of the Missouri Constitution (version 4). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to allow voters in cities and counties to set and control local taxes on alcoholic beverages, except for any liquid sold solely for a medicinal purpose or pursuant to a prescription, within their city or county?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,

CHRIS KOSTER
Attorney General

OP-2012-0091



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

May 10, 2012

OPINION LETTER NO. 120-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

You have submitted a proposed fair ballot language statement for the initiative petition relating to municipal police force. The fair ballot language statement, prepared pursuant to § 116.025, RSMo, is as follows:

A “yes” vote will amend Missouri law to allow any city not within a county (the City of St. Louis) the option of establishing a municipal police force by transferring certain obligations and control of the city’s police force from the board of police commissioners currently appointed by the governor to the city. This amendment also establishes certain procedures and requirements for governing such a municipal police force including residency, rank, salary, benefits, insurance, and pension. The amendment further prohibits retaliation against any employee of such municipal police force who reports conduct believed to be illegal to a superior, government agency, or the press.

The Honorable Robin Carnahan
Page 2

A “**no**” vote will not change the current Missouri law regarding St. Louis City’s police force.

If passed, this measure will have no impact on taxes.

Pursuant to § 116.025, we approve the legal content and form of the proposed fair ballot language statement.

Because our review of the fair ballot language statement is mandated by statute, no action we take with respect to such review should be construed as an endorsement of the initiative petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

June 4, 2012

OPINION LETTER NO. 121-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

You have submitted a proposed fair ballot language statement for the initiative petition relating to cigarette and other tobacco product taxation (version G). The fair ballot language statement, prepared pursuant to § 116.025, RSMo, is as follows:

A “yes” vote will amend Missouri law to create the Health and Education Trust Fund with proceeds from a tax on cigarettes and other tobacco products. The amount of tax is \$0.0365 per cigarette and 25% of the manufacturer’s invoice price for roll-your-own tobacco and 15% for other tobacco products. The Fund proceeds will be used to reduce and prevent tobacco use and for elementary, secondary, college, and university public school funding. This amendment also increases the amount that certain tobacco product manufacturers must maintain in their escrow accounts, to pay judgments or settlements, before any funds in escrow can be refunded to the tobacco product manufacturer and

The Honorable Robin Carnahan
Page 2

creates bonding requirements for these manufacturers.

A “**no**” vote will not change the current Missouri law regarding taxes on cigarettes and other tobacco products or the escrow account and bonding requirements for certain tobacco product manufacturers.

If passed, this measure will increase taxes on cigarettes and other tobacco products.

Pursuant to § 116.025, we approve the legal content and form of the proposed fair ballot language statement.

Because our review of the fair ballot language statement is mandated by statute, no action we take with respect to such review should be construed as an endorsement of the initiative petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

June 4, 2012

OPINION LETTER NO. 122-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

You have submitted a proposed fair ballot language statement for the initiative petition relating to payday, title, installment, & consumer credit loans (version 3). The fair ballot language statement, prepared pursuant to § 116.025, RSMo, is as follows:

A “**yes**” vote will amend Missouri law to limit the annual rate of interest, fees, and finance charges for payday, title, installment, and consumer credit loans. This amendment further prohibits such lenders from using other transactions to avoid the rate limit.

A “**no**” vote will not change the current law regarding payday, title, installment, and consumer credit loans.

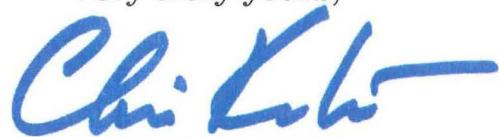
If passed, this measure will have no impact on taxes.

Pursuant to § 116.025, we approve the legal content and form of the proposed fair ballot language statement.

The Honorable Robin Carnahan
Page 2

Because our review of the fair ballot language statement is mandated by statute, no action we take with respect to such review should be construed as an endorsement of the initiative petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

June 4, 2012

OPINION LETTER NO. 123-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

You have submitted a proposed fair ballot language statement for the initiative petition relating to minimum wage (version 1). The fair ballot language statement, prepared pursuant to § 116.025, RSMo, is as follows:

A “yes” vote will amend Missouri law to increase the state minimum wage to \$8.25 per hour or to the federal minimum wage if that is higher. Every year thereafter, the state wage will be adjusted based on changes in the Consumer Price Index. The amendment will increase the minimum wage for employees who receive tips to 60% of the state minimum wage. The amendment will also modify certain other provisions of the minimum wage law including the retail or service businesses exemption and penalties for paying employees less than the minimum wage.

A “no” vote will not change the current law regarding the state minimum wage.

The Honorable Robin Carnahan
Page 2

If passed, this measure will have no impact on taxes.

Pursuant to § 116.025, we approve the legal content and form of the proposed fair ballot language statement.

Because our review of the fair ballot language statement is mandated by statute, no action we take with respect to such review should be construed as an endorsement of the initiative petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

June 28, 2012

OPINION LETTER NO. 124-2012

Mr. Harry J. Otto
Deputy State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Mr. Otto:

This office received your letter of June 18, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for Senate Joint Resolution No. 51. The fiscal note summary that you submitted is as follows:

There are no estimated costs or savings expected if this proposal is approved by voters.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the Senate joint resolution or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.
CHRIS KOSTER
Attorney General

OP-2012-0109



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

June 28, 2012

OPINION LETTER NO. 125-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of June 18, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for Senate Bill No. 464. The fiscal note summary that you submitted is as follows:

No direct costs or savings for state and local governmental entities are expected from this proposal. Indirect costs or savings related to enforcement actions, missed federal funding, avoided implementation costs, and other issues are unknown.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the Senate bill or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0110



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

June 29, 2012

OPINION LETTER NO. 126-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated June 19, 2012, for our review under § 116.160, RSMo, of a proposed summary statement prepared for Senate Joint Resolution No. 51 regarding a proposed amendment to Article V of the Missouri Constitution. The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to change the current nonpartisan selection of supreme court and court of appeals judges to a process that gives the governor increased authority to:

- appoint a majority of the commission that selects these court nominees; and
- appoint all lawyers to the commission by removing the requirement that the governor's appointees be nonlawyers?

Pursuant to § 116.160, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

OP-2012-0111

The Honorable Robin Carnahan
Page 2

as an endorsement of the Senate joint resolution, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

June 29, 2012

OPINION LETTER NO. 127-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

You have submitted a proposed fair ballot language statement for Senate Joint Resolution No. 51 relating to nonpartisan selection of judges. The fair ballot language statement, prepared pursuant to § 116.025, RSMo, is as follows:

A “yes” vote will amend the Missouri Constitution to change the current nonpartisan selection of supreme court and court of appeals judges to a process that gives the governor increased authority to appoint a majority of the commission that selects these court nominees. This measure also allows the governor to appoint all lawyers to the commission by removing the requirement that the governor’s appointees be nonlawyers.

A “no” vote will not change the current constitutional provision for the nonpartisan selection of supreme court and court of appeals judges.

If passed, this measure will have no impact on taxes.

The Honorable Robin Carnahan
Page 2

Pursuant to § 116.025, RSMo, we approve the legal content and form of the proposed fair ballot language statement.

Because our review of the fair ballot language statement is mandated by statute, no action we take with respect to such review should be construed as an endorsement of the Senate joint resolution, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

**CHRIS KOSTER
ATTORNEY GENERAL**

**P.O. Box 899
(573) 751-3321**

July 3, 2012

OPINION LETTER NO. 128-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This corrected opinion letter responds to your request dated June 19, 2012, for our review under § 116.160, RSMo, of a proposed summary statement prepared for Senate Bill No. 464 regarding a proposed amendment to Chapter 376 of the Revised Statutes of Missouri. This letter corrects a typographical error in the June 29, 2012 letter that was sent to the Secretary. The proposed summary statement is as follows:

Shall Missouri law be amended to deny individuals, families, and small businesses the ability to access affordable health care plans through a state-based health benefit exchange unless authorized by statute, initiative or referendum or through an exchange operated by the federal government as required by the federal health care act?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

OP-2012-0113

The Honorable Robin Carnahan
Page 2

as an endorsement of the Senate bill, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

June 29, 2012

OPINION LETTER NO. 129-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

You have submitted a proposed fair ballot language statement for Senate Bill No. 464 relating to the authority for creating and operating health insurance exchanges in Missouri. The fair ballot language statement, prepared pursuant to § 116.025, RSMo, is as follows:

A “yes” vote will amend Missouri law to deny individuals, families, and small businesses the ability to access affordable health care plans through a state-based health benefit exchange unless authorized by statute, initiative or referendum or through an exchange operated by the federal government as required by the federal health care act.

A “no” vote will not change the current Missouri law regarding access to affordable health care plans through a state-based health benefit exchange.

If passed, this measure will have no impact on taxes.

Pursuant to § 116.025, RSMo, we approve the legal content and form of the proposed fair ballot language statement.

The Honorable Robin Carnahan
Page 2

Because our review of the fair ballot language statement is mandated by statute, no action we take with respect to such review should be construed as an endorsement of the Senate bill, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General

HOUSING:
HOUSING AUTHORITY:
MISSOURI HOUSING
DEVELOPMENT
COMMISSION:
PUBLIC HOUSING
AUTHORITY:
HOUSING AND URBAN
DEVELOPMENT:

The Missouri Housing Development Commission is the only entity authorized to operate as a public housing agency throughout the entire state of Missouri.

OPINION NO. 130-2012

October 2, 2012

The Honorable Jolie Justus
State Senator, District 10
State Capitol, Room 330
Jefferson City, MO 65101

Dear Senator Justus,

In your request, you ask whether the Missouri Housing Development Commission (MHDC) is the only entity qualified to operate as a public housing agency (PHA) throughout the state of Missouri under 42 U.S.C. § 1437a(b)(6). It is.

FACTS

The facts you provided state that the Department of Housing and Urban Development (HUD) asked for applications to administer Section 8 housing assistance payments. Only an entity that is a PHA can enter the “competition” to become the new Performance Based Contract Administrator (“PBCA”). The MHDC originally won the “competition” to become the new PBCA. Losing applicants, however, filed protests in Missouri and forty-one other states. HUD decided to avoid these protests by “withdrawing” its “competition” in those states and “reissuing” the “competition” through a Notice of Funding Availability, because there is no protest process for that mechanism. Now, there is concern that entities from other states are

asserting that they are authorized to act as PHAs throughout Missouri, when in fact they are not.

DEFINITION OF PHA

The primary rule of statutory interpretation is to ascertain and apply the intent of the legislature as evidenced in the plain terms of the statute. *Carcieri v. Salazar*, 555 U.S. 379, 387 (2009); *Fannie Mae v. Truong*, 361 S.W.3d 400, 404 (Mo. banc 2012). Congress' intent in enacting the Housing Act ("Act") was to help states, and political subdivisions of states, fix the problem of a lack of decent, safe housing for low-income families. 42 U.S.C. § 1437(a)(1)(A)-(B). The Act uses units of state or local government called PHAs to administer the requirements of the Act. See, e.g., 42 U.S.C. § 1437a(a)(2)(A)(i); 42 U.S.C. § 1437c-1.

The general definition of a PHA is as follows: "Except as provided in subparagraph (B), the term 'public housing agency' means any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of public housing." 42 U.S.C. § 1437a(b)(6)(A). This definition requires the PHA to be a creature of state or local government, and requires it to have a grant of authority for public housing work. *Id.*

Because your question concerns Section 8 housing, the definition of PHA contained in subparagraph (B) applies. *Id.* Under this subparagraph, the term PHA includes those entities that meet the general definition of PHA, but also includes more entities. *Id.* Under this subparagraph, a PHA could be a group of individual PHAs, but only if the Secretary has determined that the group would be efficient. 42 U.S.C. § 1437a(b)(6)(B)(i). A PHA could also be a public or private nonprofit entity, if it had certain contractual

relationships prior to 1998. 42 U.S.C. § 1437a(b)(6)(B)(ii).¹ If there is no PHA willing and able to perform Section 8 work in the area, a PHA could be a private nonprofit entity that contracts with the Secretary. 42 U.S.C. § 1437a(b)(6)(B)(iii)(I). Finally, if there is no PHA willing and able to perform Section 8 work in the area, a PHA for that area could be a PHA that has been organized in any other area, even if state or local law would prohibit it and even if the new area was geographically outside the area in which it was authorized to operate. 42 U.S.C. § 1437a(b)(6)(B)(iii)(II).

QUALIFYING AS A PHA IN MISSOURI UNDER FEDERAL STATUTES

Under both the general definition of PHA and the expanded Section 8 definition of a PHA, the MHDC qualifies as a PHA. The MHDC qualifies under the general definition because it is a state governmental entity with statutory powers and responsibilities to provide and oversee public housing. *See* § 215.020.1, RSMo (the MHDC is a governmental instrumentality); § 215.030.1(1) (power to make and purchase mortgages needed to build or rehabilitate low- or moderate-income housing); § 215.030.1(15) (power to purchase properties, manage them, and rent them to tenants); § 215.030.1(23)-(24) (power to help build or remodel low- and moderate-income residential housing units); *see also* §§ 215.010-215.250 (powers and responsibilities of the MHDC). Because the Section 8 definition includes the general definition, the MHDC also qualifies under the expanded Section 8 definition of a PHA.

In contrast, an entity from another state cannot qualify as a PHA in Missouri under either definition. Under the general definition, a PHA must be a creature of state or local government, authorized to perform public housing duties. 42 U.S.C. § 1437a(b)(6)(A). Although a state may give permission to its businesses and other entities to operate in other states, that

¹ This provision reads: “any other public or private nonprofit entity that, upon the effective date under section 503(a) of the Quality Housing and Work Responsibility Act of 1998, was administering any program for tenant-based assistance under section 1437f of this title (as in effect before the effective date of such Act), pursuant to a contract with the Secretary or a public housing agency.”

state has no *authority* to grant this right outside its own borders. *See Carroll v. Lanza*, 349 U.S. 408, 413-14 (1955) (Missouri had authority to make its workers' compensation act the exclusive remedy for injury compensation, but Arkansas was not required to follow Missouri's rule); *State v. Bray*, 774 S.W.2d 555, 556 (Mo. App. W.D. 1989) (although person had Kansas City driver's license, Missouri could refuse to allow him to drive on Missouri roads); *Home Owners' Loan Corp. v. Caplan*, 164 S.W.2d 652, 655 (Mo. App. St. L. Dist. 1942) (If a corporation is created under a foreign state's laws, the "corporation can have no legal standing in this state except as it may be permitted to enter with this state's consent under principles of legislative comity"); Art. I, § 4, Mo. Const. (Missouri is a free and independent state subject only to the United States Constitution). The only entity Missouri has authorized to act as a PHA throughout this state is the MHDC.² *See* §§ 215.010-215.250.

Nor can an out-of-state entity qualify as a PHA under the expanded Section 8 definition. Although the federal government can use its authority to trump state sovereignty on this issue, the only circumstance in the federal statute where it has chosen to do so is where there is no PHA organized, or able and willing, to perform Section 8 work in the area. 42 U.S.C. § 1437a(b)(6)(B)(iii)(I)-(II).³ In that circumstance, HUD may authorize a PHA from another area to perform Section 8 work there, whether or not the state or local authority expressly prohibits that PHA from operating within the state. *Id.* This exception does not apply here, however, because the MHDC is organized, and is able and willing to perform Section 8 work, as shown by its successful application for the very project in question.

In 42 U.S.C. § 1437a(b)(6)(B)(iii)(II), Congress specifically set out the particular circumstance under which an out-of-state PHA can operate in

² Local PHAs are not authorized to operate state-wide, as discussed below.

³ If there is no PHA willing and able to perform Section 8 work in the area in question, the federal government can authorize a public or private nonprofit entity to perform the functions of a PHA. 42 U.S.C. § 1437a(b)(6)(B)(iii)(I). But this exception does not trump state or local law that limits the area of operation of the public or nonprofit entity.

another state. This language would be mere surplusage if all PHAs authorized in one state were considered to be “authorized” in every other state, even if the other state had not granted it any authority to operate within its boundaries. *Freeman v. Quicken Loans, Inc.*, 132 S.Ct. 2034, 2042-43 (2012) (in interpreting statutes courts generally avoid a construction that treats statutory terms as surplusage); *Middleton v. Missouri Dept. of Corrections*, 278 S.W.3d 193, 196 (Mo. banc 2009) (“a court should not interpret a statute so as to render some phrases mere surplusage”). Therefore, under the plain terms of the statute, only the MHDC is authorized to act as a PHA throughout Missouri.

Accordingly, no out-of-state PHA or nonprofit entity can meet either the general or the expanded Section 8 definition of a PHA.

QUALIFYING AS A PHA IN MISSOURI UNDER HUD’S APPLICATION MATERIALS

The information you have provided also includes HUD’s materials for applicants. If anything in these materials conflicts with the statutory grant of authority to HUD, then the statutes control. *Chevron, U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837, 842-43 (1984). But if a regulation is within the statutory grant of authority, and there is ambiguity or silence in the statutes, HUD’s interpretation of the statutes and resulting regulation will be given deference. *Id.* at 843-44.

HUD requires that PHAs applying to become the PBCA show that they are either a “governmental entity” or an instrumentality of a governmental entity (“instrumentality entity”). *HUD Application Materials*, §§ 2.4-2.5. To be a “governmental entity,” HUD requires the entity to have been “created under a statute that explicitly authorized the entity to operate throughout the entire State⁴ in which the entity proposes to serve as a PBCA or that evidences a legislative intent for such entity to have such authority.” *HUD*

⁴ This does not mean merely that the entity has merely any sort of business license—the entity is required to be authorized to act as a PHA. *HUD Application Materials* § 2.1. Also, such an interpretation would conflict with the federal statutes discussed above, making the regulation invalid. *Chevron*, 467 U.S. at 842-43.

Application Materials, § 2.4(3). As shown above, Missouri statutes authorize the MHDC to operate throughout the entire State, and do not give any out-of-state PHAs this power.

A local Missouri PHA cannot be a “governmental entity,” because local Missouri PHAs are not authorized to operate throughout the entire state of Missouri, but are discrete municipal corporations that can only operate within a certain geographic area, and only after a proper local ordinance is passed. § 99.020(1); § 99.040.1; § 99.080.1; *St. Louis Housing Authority v. City of St. Louis*, 239 S.W.2d 289, 294-95 (Mo. banc 1951) (local PHA is a municipality performing “public and essential governmental functions”). Therefore, no local PHA can qualify as a “governmental entity.”

To be an “instrumentality entity,” HUD requires that the instrumentality must have been “created under a statute that explicitly authorizes entities created there under [sic] to operate throughout the entire State in which the entity proposes to serve as PBCA or that evidences a legislative intent for such entities to have such authority.” *HUD Application Materials*, § 2.5(6). No out-of-state PHA has authority under a Missouri statute explicitly authorizing it to operate throughout the entire state of Missouri, so none could qualify as an “instrumentality entity.” And even if an out-of-state PHA contracted with a local Missouri PHA, § 70.220.1, § 99.110.1, Art. VI, § 16, Mo. Const., its operations would still be limited to the geographic area of the local Missouri PHA—it could not operate throughout the entire state. Therefore, no out-of-state entity can qualify as an “instrumentality entity” under HUD’s application materials.

Accordingly, because only the MHDC is authorized to operate throughout the entire state of Missouri, only the MHDC can qualify as a “governmental entity” or “instrumentality entity” under HUD’s application materials.

LETTER REQUIREMENT IN HUD’S APPLICATION MATERIALS

Even if an applicant qualifies to apply as either a “governmental entity” or an “instrumentality entity,” if the applicant is proposing to serve as a PBCA in a state other than the state in which it was formed, there is an

additional requirement. Because this requirement is in addition to the other requirements, merely meeting the letter requirements cannot overcome a deficiency in qualifying as a “governmental entity” or “instrumentality entity.” The additional requirement is that an applicant must provide a letter from an attorney licensed in the state in which the applicant proposes to serve, showing that that state’s laws neither “explicitly nor implicitly prohibit the applicant from acting as a PHA throughout the entire State.” *HUD Application Materials*, § 2.6.

As shown above, only the MHDC can meet the federal statute’s requirements for being a PHA throughout the entire state, and only the MHDC can meet HUD’s requirements of being a “governmental entity” or “instrumentality entity.” No letter could cure these defects in an applicant’s submission.

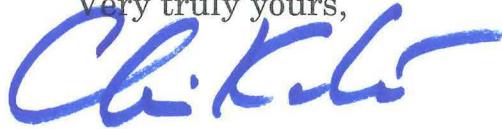
Even so, Missouri statutes do “explicitly or implicitly” prohibit entities other than the MHDC from acting throughout the entire state of Missouri. The only statutes that create, empower, and limit housing authorities in Missouri are void of any provision that authorizes an out-of-state PHA to operate as a housing authority throughout the entire state of Missouri.⁵ See §§ 70.210-70.320; §§ 99.010-99.230; §§ 215.010-215.250. Also, Missouri PHAs are thoroughly regulated by Missouri statutes, implying that the legislature did not intend that an out-of-state entity could operate as a PHA throughout Missouri without being subject to any of these regulations. *See Borron v. Farrenkopf*, 5 S.W.3d 618, 622, 624 (Mo. App. W.D. 1999) (where state legislature thoroughly regulates an area, it implies that there is no room for local regulations on the subject). Therefore, Missouri statutes implicitly prohibit entities other than the MHDC from acting as a PHA throughout the entire state.

⁵ General nonprofit entities, for example, are not granted the powers needed to act as PHAs themselves, see §§ 355.001-355.881, although they may contract with PHAs. § 99.080.1(10); § 215.030.1(4).

CONCLUSION

In conclusion, the MHDC is the only entity authorized to operate as a PHA throughout the entire state of Missouri.

Very truly yours,



CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

November 19, 2012

OPINION LETTER NO. 132-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 9, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article I of the Missouri Constitution submitted by Ron Calzone, version 1 (2014-002).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

November 19, 2012

OPINION LETTER NO. 133-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 9, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article I of the Missouri Constitution submitted by Ron Calzone, version 2 (2014-003).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

November 19, 2012

OPINION LETTER NO. 134-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 9, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article VI of the Missouri Constitution submitted by Ron Calzone, version 1 (2014-004).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

November 19, 2012

OPINION LETTER NO. 135-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 9, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article VI of the Missouri Constitution submitted by Ron Calzone, version 2 (2014-005).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

November 29, 2012

OPINION LETTER NO. 136-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 19, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapter 213, Revised Statutes of Missouri submitted by Aaron Malin, version 2 (2014-006).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

December 6, 2012

OPINION LETTER NO. 137-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 26, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 367 and 408, Revised Statutes of Missouri submitted by Maureen Dickmann, version 2 (2014-007).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

December 6, 2012

OPINION LETTER NO. 138-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 26, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition submitted by Theo Brown (2014-008).

We conclude that the petition must be rejected because the petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine if additional deficiencies exist. Pursuant to § 116.332.3, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General

OP-2012-0141



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

December 6, 2012

OPINION LETTER NO. 139-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 26, 2012, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition submitted by Theo Brown (2014-009).

We conclude that the petition must be rejected because the petition is not in the form prescribed by § 116.040, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine if additional deficiencies exist. Pursuant to § 116.332.3, RSMo, the Secretary of State is authorized to review this opinion and “make a final decision as to the approval or rejection of the form of the petition.”

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0142



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

December 10, 2012

OPINION LETTER NO. 140-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of November 28, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Ron Calzone, version 1 (14-002). The fiscal note summary that you submitted is as follows:

The total cost or savings to state or local governmental entities is unknown. The estimated costs, if any, to state and local governmental entities could be significant.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".

CHRIS KOSTER
Attorney General

OP-2012-0143



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

December 10, 2012

OPINION LETTER NO. 141-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of November 28, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Ron Calzone, version 2 (14-003). The fiscal note summary that you submitted is as follows:

The total cost or savings to state or local governmental entities is unknown. The estimated costs, if any, to state and local governmental entities could be significant.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0144



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

December 10, 2012

OPINION LETTER NO. 142-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of November 28, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Ron Calzone, version 1 (14-004). The fiscal note summary that you submitted is as follows:

The total cost or savings to state or local governmental entities is unknown. Most state governmental entities estimate the proposal results in no fiscal impact; however, some state entities reported potential unknown fiscal impact or costs. The estimated costs, if any, to local governmental entities could be significant.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

December 10, 2012

OPINION LETTER NO. 143-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of November 28, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Ron Calzone, version 2 (14-005). The fiscal note summary that you submitted is as follows:

The total cost or savings to state or local governmental entities is unknown. Most state governmental entities estimate the proposal results in no fiscal impact; however, some state entities reported potential unknown fiscal impact or costs. The estimated costs, if any, to local governmental entities could be significant.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should

The Honorable Thomas A. Schweich
Page 2

be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

December 10, 2012

OPINION LETTER NO. 144-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 30, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Ron Calzone regarding a proposed constitutional amendment to amend Article I of the Missouri Constitution, version 1 (2014-002). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to restrict the use of eminent domain by:

- Allowing only government entities to use eminent domain;
- Prohibiting its use for private purposes, with certain exceptions for utilities;
- Requiring that any taking of property be necessary for a public use while continuing to provide just compensation;
- Requiring that the intended public use be declared at the time of the taking;

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- Permitting the original owners to repurchase the property if it is not so used within five years or if the property is offered to a private entity within twenty years?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

December 10, 2012

OPINION LETTER NO. 145-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 30, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Ron Calzone regarding a proposed constitutional amendment to amend Article I of the Missouri Constitution, version 2 (2014-003). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to restrict the use of eminent domain by:

- Allowing only government entities to use eminent domain;
- Prohibiting its use for private purposes, with certain exceptions for utilities;
- Requiring that any taking of property be necessary for a public use while continuing to provide just compensation;
- Requiring that the intended public use be declared at the time of the taking;

OP-2012-0148

- Permitting the original owners to repurchase the property if it is not so used within five years or if the property is offered to a private entity within twenty years?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

December 10, 2012

OPINION LETTER NO. 146-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 30, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Ron Calzone regarding a proposed constitutional amendment to amend Article VI of the Missouri Constitution, version 1 (2014-004). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to change the power of the General Assembly and constitutionally chartered cities or counties to:

- Prohibit the use of eminent domain to acquire and resell property found to be blighted, substandard or unsanitary for the purpose of clearance, redevelopment or rehabilitation; and
- Allow them to require owners of property found to be a public nuisance to abate or clean up the nuisance and, if the property owner fails to do so in a reasonable time, allow the local government to pay for the abatement and impose a lien to recover the cost?

OP-2012-0149

The Honorable Robin Carnahan
Page 2

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

December 10, 2012

OPINION LETTER NO. 147-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated November 30, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Ron Calzone regarding a proposed constitutional amendment to amend Article VI of the Missouri Constitution, version 2 (2014-005). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to change the power of the General Assembly and constitutionally chartered cities or counties to:

- Prohibit the use of eminent domain to acquire and resell property found to be blighted, substandard or unsanitary for the purpose of clearance, redevelopment or rehabilitation; and
- Allow them to require owners of property found to be a public nuisance to abate or clean up the nuisance and, if the property owner fails to do so in a reasonable time, allow the local government to pay for the abatement and impose a lien to recover the cost?

OP-2012-0150

The Honorable Robin Carnahan
Page 2

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

December 17, 2012

OPINION LETTER NO. 148-2012

The Honorable Thomas A. Schweich
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Schweich:

This office received your letter of December 7, 2012, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Aaron Malin, version 2 (14-006). The fiscal note summary that you submitted is as follows:

No or limited estimated costs or savings are expected by local governmental entities. Estimated annual costs to state governmental entities would be at least \$89,000 with the total potential annual costs being unknown.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General

OP-2012-0155



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

December 20, 2012

OPINION LETTER NO. 149-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 10, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapter 290, Revised Statutes of Missouri submitted by Lara Granich, version 5 (2014-014).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

December 20, 2012

OPINION LETTER NO. 150-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 10, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapter 290, Revised Statutes of Missouri submitted by Lara Granich, version 6 (2014-015).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

December 20, 2012

OPINION LETTER NO. 151-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 10, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapter 290, Revised Statutes of Missouri submitted by Lara Granich, version 7 (2014-016).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of "Chris Koster" in a cursive script font.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

December 20, 2012

OPINION LETTER NO. 152-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 10, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapter 290, Revised Statutes of Missouri submitted by Lara Granich, version 8 (2014-017).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of "Chris Koster".
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

P.O. Box 899
(573) 751-3321

CHRIS KOSTER
ATTORNEY GENERAL

December 20, 2012

OPINION LETTER NO. 153-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 10, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Chapters 367 and 408, Revised Statutes of Missouri submitted by Maureen Dickmann, version 2 (2014-018).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of Chris Koster's name, written in a cursive script.
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

December 21, 2012

OPINION LETTER NO. 154-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 11, 2012, for our review under §116.332, RSMo, of the sufficiency as to form of an initiative petition to amend Article I of the Missouri Constitution submitted by Mark Reading, version 1 (2014-019).

We approve the petition as to form. But § 116.332 gives the Secretary of State final authority to approve or reject the petition. Therefore, our approval of the form of the petition does not preclude you from rejecting the petition.

Because our review of the petition is simply for the purpose of determining sufficiency as to form, the fact that we do not reject the petition is not to be construed as a determination that the petition is sufficient as to substance. Likewise, because our review is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition or of the objectives of its proponents, or the expression of any view respecting the adequacy or inadequacy of the petition generally.

Very truly yours,

A blue ink signature of the name "Chris Koster".
CHRIS KOSTER
Attorney General



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY
65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

December 24, 2012

OPINION LETTER NO. 155-2012

The Honorable Robin Carnahan
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated December 13, 2012, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Aaron Malin regarding a proposed amendment to amend Chapter 213, Revised Statutes of Missouri, version 2 (2014-006). The proposed summary statement is as follows:

Shall Missouri law regarding the Missouri Commission on Human Rights be amended to:

- change the definition of discrimination to include any unfair treatment based on sexual orientation or gender identity; and
- provide an exception to the Commission's authority based on a sincerely held religious belief?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed

OP-2012-0162

The Honorable Robin Carnahan
Page 2

as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


CHRIS KOSTER
Attorney General